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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91203706
Party	Defendant Washington Place LLC
Correspondence Address	JEFFREY A LINDENBAUM COLLEN IP INTELLECTUAL PROPERTY LAW PC THE HOLYOKE MANHATTAN BUILDING, 80 SOUTH HIGHLAND AVENUE OSSINING, NY 10562 UNITED STATES gdavis@collenip.com, jlindenbaum@collenip.com, docket@collenip.com
Submission	Reply in Support of Motion
Filer's Name	Govinda M. Davis
Filer's e-mail	gdavis@collenip.com, jlindenbaum@collenip.com, docket@collenip.com
Signature	/Govinda M. Davis/
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Attachments	N552 Washington Place's Reply to Opposer's Opposition to Cross Motion to Compel.pdf (3 pages)(95706 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Chatham Imports, Inc.

Opposer/Respondent/Petitioner,

v.

Washington Place LLC

Applicant/Petitioner/Respondent.

Opp. No.: 91203706

Serial No.: 77962565

Registration No.: 3,829,294

Registration No.: 3,899,559

**WASHINGTON PLACE LLC'S REPLY TO OPPOSER'S OPPOSITION TO ITS CROSS
MOTION TO COMPEL A RESPONSE TO APPLICANT'S INTERROGATORY NO. 32**

Applicant, Washington Place LLC ("Washington"), respectfully submits this reply to Opposer's, Chatham Imports, Inc. ("Chatham"), Opposition to Washington's Cross Motion to Compel, pursuant to 37 C.F.R. § 2.127(a).

Chatham's response to Interrogatory No. 32 is deficient because it fails to "[i]dentify the meaning, definition and connotation of Chatham's Mark." Chatham answered the Interrogatory by stating that its FARMER'S mark "is the possessive form of the word farmer."¹

Remarkably, in its Opposition to Washington's Cross Motion to Compel, Chatham states that Washington has not identified why the response to Interrogatory No. 32 is deficient. The answer is simple. Chatham has not answered the Interrogatory. Chatham does not dispute that the meaning, definition and connotation of a mark is highly relevant in the current Opposition proceeding, particularly since this is a case that includes claims of likelihood of confusion and descriptiveness. Accordingly, the only disputed issue is whether Chatham's response that its FARMER'S mark "is the possessive form of the word farmer" is a good faith effort to provide the meaning, definition and connotation of the mark FARMER'S. Since all Chatham has offered

¹ See Chatham's Responses to Washington's First Set of Interrogatories attached to Washington's Cross Motion to Compel as "Exhibit C" (internal quotations omitted).

is the linguistic implications of the addition of an apostrophe and an "S" at the end of its mark, it cannot possibly be found to have adequately responded to the Interrogatory. Chatham's response is no better than pointing out the obvious fact that the mark "FARMER'S" is a word that begins with the letter "F." While this is a true fact, it fails to provide the requested meaning, definition and connotation of the mark.

Since Chatham has failed to provide information that is responsive to Interrogatory No. 32, namely, information regarding the meaning, definition and connotation of the FARMER'S mark, the Board should compel Chatham to supplement its response to Interrogatory No. 32 by providing the full and complete answer that the Federal Rules require. *See Fed. R. Civ. P. 33(b)(3)* ("Each interrogatory must, to the extent it is not objected to, be answered separately and fully in writing under oath").

Respectfully Submitted,



Jeffrey A. Lindenbaum

Govinda M. Davis

COLLEN IP

The Holyoke-Manhattan Building

80 South Highland Avenue

Ossining, New York 10562

Tel. 914-941-5668

Fax. 914-941-6091

jlindenbaum@collenip.com

gdavis@collenip.com

Attorneys for Washington Place, LLC

Dated: April 29, 2013

CERTIFICATE OF SERVICE

I, Govinda M. Davis, hereby certify that on April 29, 2013, a copy of the foregoing **Reply to Opposer's Opposition to Applicant's Cross Motion to Compel** was served, via First Class Mail, postage pre-paid, on Chatham Imports, Inc.'s attorney of record at the following address:

Tracy A. Stitt
Jones Day
51 Louisiana Avenue NW
Washington, DC 20001
tastitt@jonesday.com

A handwritten signature in black ink, appearing to read "Govinda M. Davis", is written over a horizontal line.